

REMARKS

Claims 1-47 are pending in the application.

Claims 1-47 have been rejected.

Claims 1, 14-15, and 28-41 have been amended. Support for these amendments can be found, at least, in paragraphs 46, 49, 58, and 60 of the specification. No new matter has been added.

Rejection of Claims under 35 U.S.C. § 101

Claims 28-40 stand rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter because the claimed computer readable medium “encompasses communications medium conveying signals, which are non-statutory.” The Applicants respectfully traverse this rejection.

Claims 28-40 now recite that the computer readable medium is a storage medium. The reference to a communications medium has been removed. Accordingly, Applicants assert that these claims clearly recite statutory subject matter and respectfully request the withdrawal of this rejection.

Rejection of Claims Under 35 U.S.C. §102

Claims 1, 2, 4-6, 9, 14-16, 18-20, 28, 29, 31-33, 41, and 43 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Kolawa et al., U.S. Patent No. 5,842,019 (Kolawa). The applicants respectfully traverse these rejections.

Kolawa fails to teach or suggest a method comprising:

identifying that the first allocated memory block is a suspected memory leak;
verifying that the first allocated memory block is a memory leak in response to
the first allocated memory block being identified as a suspected memory
leak,

as required by amended independent claim 1, and generally required by amended independent claims 14, 28, and 41.

Regarding this limitation, the Examiner refers to block 93 of Kolawa. The corresponding description (column 6, lines 7-29) states:

Referring to FIG. 9, the routine for searching memory space with an optional reset of the "NoLeak" attribute (block 76) is shown. Its purpose is to search the memory space for a pointer variable that points to the memory block in question for detecting a leak. First, the memory space is searched for a pointer to the memory block in question (block 90). If the pointer is found (block 91), the memory block is not leaked and, therefore, the "NoLeak" attribute is reset and no leak error is reported (block 92). If no memory block is found (block 91), a leak exists and a leak error is reported (block 93). If it cannot be determined whether a pointer exists, that is, it is "unknown" (block 91), no leak error is reported (block 94). The unknown case occurs when the symbol table is not being used or the memory allocation instruction is not trapped. In the described embodiment, these are options for the dynamic debugging system 13 that can be set by the user. In addition, some dynamic debugging systems employ symbol readers that have not been fully implemented and are only able to sweep some memory blocks. Since all memory blocks are not swept, a conclusive "YES" can only be issued if a pointer is found. Otherwise, the answer is "unknown" at best since all of the memory blocks were not searched.

Thus, while Kolawa does teach determining a leak exists when no memory block is found (block 91), and reporting the leak (block 93), nothing in the cited portion of Kolawa teaches or suggests first identifying that a first allocated memory block is a *suspected* leak and then *verifying* that the first allocated memory block is a memory leak. In other words, Kolawa fails to teach or suggest the additional verification operation upon failing to find the reference, e.g., upon a determination of a possible leak. In fact, the cited portion of Kolawa does not contemplate the need for additional verification.

Accordingly, independent claims 1, 14, 28, and 41 are allowable over Kolawa. Claims 2-13, 15-27, 29-40, and 42-47 depend from respective independent claims and are allowable for at least this reason.

Regarding the "contingency chain" formed or used in claims 11-13, 25-27, 38-40, and 45-47, the Examiner merely refers to Figures 4A and 4B of Cantrill, without any specific reference to the various operations disclosed therein, or to the several columns of accompanying text. While Figures 4A and 4B generally describe steps associated with reporting memory leaks, there is no teaching or suggestion of (1) contingency chains (as recited in each of claims 11-13, 25-27, 38-40, and 45-47), (2) use of contingency chains

in accordance with the various claims, or (3) anything that reasonable corresponds to the contingency chains in accordance with the various claims. Accordingly, the applicants respectfully submit claims 11-13, 25-27, 38-40, and 45-47 are further allowable over Cantrill.

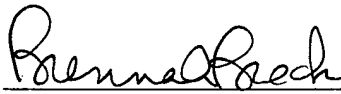
Rejection of Claims Under 35 U.S.C. §103

Claims 3, 7, 8, 17, 21, 22, 30, 34, 35, and 42 stand rejected under 35 U.S.C. § 103 as being unpatentable over Kolawa in view of Abrashkevich et al., U.S. Patent Publication No. 2004/0221120 (Abrashkevich). Claims 9-13, 23-27, 35-40, and 44-47 stand rejected under 35 U.S.C. § 103 as being unpatentable over Kolawa in view of Cantrill, U.S. Patent No. 6,523,141. These claims are patentable over the cited art for at least the foregoing reasons presented above. Accordingly, Applicants respectfully request the withdrawal of these rejections.

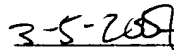
CONCLUSION

In view of the amendments and remarks set forth herein, the application and the claims therein are believed to be in condition for allowance without any further examination and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5087.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop RCE, COMMISSIONER FOR PATENTS, P. O. Box 1450, Alexandria, VA 22313-1450, on March 5, 2007.

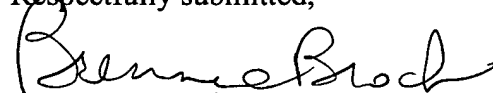


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 3-5-2007

Date of Signature

Respectfully submitted,



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